

UNDERHILL PLANNING COMMISSION

Thursday, July 20, 2017 6:30 PM

Minutes

Planning Commissioners Present: Chair Cynthia Seybolt, David Edson, Catherine Kearns, Carolyn Gregson, David Glidden, Pat Lamphere, Andrea Phillips, Johnathan Drew

Staff/Municipal Representatives Present: Andrew Strniste, Planning Director

Others Present: None

[6:25] The Planning Commission convened at Underhill Town Hall at 6:25pm.

[6:30] Chair C. Seybolt called the meeting to order.

[6:31] Chair C. Seybolt asked for a motion to approve the minutes of July 13, 2017. **Commissioner Lamphere made a motion to approve the minutes of July 13, 2017**, which was seconded by Commissioner Edson. **The motion was approved unanimously.**

[6:32] Chair C. Seybolt proposed to move agenda item "Other Business" to the beginning of the agenda. Upon moving "Other Business" to the beginning of the agenda, Staff Member Strniste advised the Commission of a draft zoning map containing the new Underhill Center Village district, as well as updating the Commission that he learned that the warning periods are 15 days instead of 30 days. Chair C. Seybolt advised that the Commission was going to have to begin the Capital Improvement Planning process shortly, which she advised Staff Member Strniste to start developing a timeline. The Planning Commission agreed that a draft of the proposed bylaw edits should be sent to the Development Review Board.

[6:35] Commissioner Drew inquired about what would happen if the Board were to object to some of the proposed edits. Staff Member Strniste that the Planning Commission could likely resolve those issues at the first meeting in August and warn the public hearings around August 20. Commissioner Drew then advised that they should write a synopsis of the proposed edits, which Chair C. Seybolt advised that they would use Front Porch Forum and the Mountain Gazette to share the synopsis. Commissioner Gregson asked what the worst case scenario deadline could be. Staff Member Strniste advised that the process should be completed by January 1. Commissioner Phillips inquired and confirmed that mid-September would be ideal to have the first public hearing. Commissioner Edson advised that there should be at least two public hearing with the Planning Commission.

[6:46] Chair C. Seybolt asked for a motion to approve the minutes of February 1, 2017. **Commissioner Lamphere made a motion to approve the minutes of July 13, 2017**, which was seconded by Commissioner Kearns. **The motion was approved unanimously.**

[6:47] Chair C. Seybolt asked for a motion to approve the minutes of May 31, 2017. **Commissioner Lamphere made a motion to approve the minutes of July 13, 2017**, which was seconded by Commissioner Edson. **The motion was approved unanimously.**

[6:50] Staff Member Strniste informed the Commission that the owner occupancy issue emerged at the Development Review Board's Monday (July 17) meeting, and that he feels that this issue could derail the project. A discussion ensued about the owner occupancy requirement. Commissioner Lamphere informed the Board that there were several State statutes that prevent properties not occupied by the landowner from falling into disrepair. Commissioner Drew advised that the

Commission should not be swayed by the opinion of one individual opposed to idea; however, Staff Member Strniste responded that this was not an isolated event.

[6:53] Commissioner Edson continued noting the rest of his edits (a continuation from the previous meeting). A discussion ensued about what the length of time should be for second, third, etc. buildings permitted by the same building permit. **Commissioner Kearns made a motion to approve the building permit time limitation as written by Commissioner Edson**, which was seconded by Commissioner Glidden. **The motion was approved unanimously.** Staff Member Strniste advised that the Commission should clarify the substantially commence definition by adding the word “all” and getting rid of the word “and.”

[7:04] Commissioners Lamphere, Phillips, Drew, Glidden and Kearns had no additional comments regarding the proposed edits. Chair C. Seybolt asked to clarify if the Commission’s intent was to allow tent platforms and lean-tos above 1500 feet. Staff Member Strniste advised that this was oversight when he was editing. **Commissioner Glidden made a motion to remove tent platform and lean-tos from the table**, which was seconded by Commissioner Drew. **The motion passed 6-2 with Commissioners Lamphere and Edson opposed.**

[7:11] **Chair C. Seybolt proposed that the language for condominiums be changed to state that it “must meet the same requirements as,” rather than what was currently written.** Commissioner Drew moved the proposal, which was seconded by Commissioner Lamphere. **The proposal passed unanimously.**

[7:14] Chair C. Seybolt informed the Commission of the purpose statement for the Underhill Center Village District she drafted after synthesizing everyone’s statements from last meeting. The Commission provided edits to be incorporated into the proposed purpose statement.

[7:19] A discussion about accessory dwellings ensued, and Commissioner Drew stated that he wanted to hear from the Development Review Board on the issue. Staff Member Strniste stated that by getting rid of the owner occupancy requirement, the Commission would effectively be allowing two single-family dwellings on the same lot. He then advised that outside of the Commission, he has not found a proponent advocating for getting rid of the requirement. Commissioner Edson wanted to know if there have been any situations where the lack of owner living on the property has been an issue. Commissioner Drew stated that in his opinion the owner occupancy requirement does not solve the identified problem. Commissioner Lamphere stated that the Regulations should focused on protecting the health, safety, and welfare of the community, and does not see how the owner occupancy requirement plays into those criteria. Commissioner Edson also advised that it provides the landowner economic flexibility. Chair C. Seybolt advised that the two single-family dwelling analogy provides a cause for concern. Commissioner Lamphere asked if it would really make a difference. Staff Member Strniste advised that this was a fundamental change and could be very controversial. **Chair C. Seybolt asked for a motion to retain the edits as written, which is to remove the owner occupancy requirement for detached accessory dwellings.** The motion was made by Commissioner Drew and seconded by Commissioner Kearns. **The motion passed unanimously.**

[7:39] A discussion ensued about the proposed updated zoning map, which superimposes the digital map of the proposed Underhill Center Village District on the hand drawn, 1985 official zoning map. The Commission asked if the area being affected on the hand drawn map could be tinted blue.

[7:43] Staff Member Strniste provided an overview of the Development Review Board’s comments.

[8:20] The Commission will have a quorum at the next meeting, August 3, 2017. The Commission asked if members of the Development Review Board could attend.

[8:30] **Chair C. Seybolt asked for a motion to adjourn.** Commissioner Edson made a motion to adjourn, which was seconded by Commissioner Lamphere. **Motion approved unanimously.**

Respectfully Submitted By:

Andrew Strniste, Planning Director

The minutes of the July 20, 2017 meeting were accepted this 3rd day of August, 2017.



Cynthia Seybolt, Planning Commission Chair